

# Notice of Allowability

Application No.

10/607,635

Examiner

Hugh B. Thompson II

Applicant(s)

HOWARD, RAYMOND W.

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone Interview of 7-11-05.
2. ☒ The allowed claim(s) is/are 1-8, 15-20.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 7-11-05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Sayed Abdel Hani on July 11, 2005.

The application has been amended as follows:

Claims 9-12 and 14 have been cancelled.

Claims 19 and 20 line 1, "A", has been changed to --The--.

Claim 20, line 3, "and" has been deleted.

The following is an examiner's statement of reasons for allowance: the reasons for allowance are those as set forth in Office Action of 8-25-04.

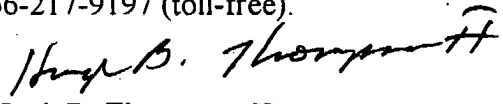
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (571) 272-6837. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

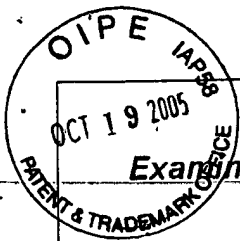
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Hugh B. Thompson II  
Primary Examiner  
Art Unit 3634

July 11, 2005



## Examiner-Initiated Interview Summary

Application No. 10/607,635	Applicant(s) HOWARD, RAYMOND W.	
Examiner Hugh B. Thompson II	Art Unit 3634	

### All Participants:

- (1) Hugh B. Thompson II(PTO).  
(2) Mr. Sayed Abdel Hani.

Status of Application: non-final

- (3) \_\_\_\_\_  
(4) \_\_\_\_\_

Date of Interview: 11 July 2005

Time: AM

### Type of Interview:

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No  
If Yes, provide a brief description:

### Part I.

Rejection(s) discussed:

n/a

Claims discussed:

9-14, 19, 20

Prior art documents discussed:

Rosberg, Howard, Harvey, Warhaftig

### Part II.

#### SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

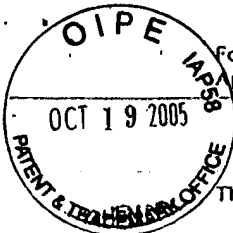
*Applicant agrees to cancel claims 9-14, as amended independent claim 9 still reads on the aforementioned prior art of record. Claims 19 and 20 will be amended to correct minor antecedent basis ambiguities, specifically, "The", and "and/or".*

### Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Hugh B. Thompson  
(Examiner/SPE Signature)

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature – if appropriate)



Form PTO-948 (Rev. 06/03)  
Application No. 10607635

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

## NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 06/27/03 are:

- A. approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

Color drawings are not acceptable until petition is granted. Fig(s) \_\_\_\_\_  
Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

2. PHOTOGRAPHS. 37 CFR 1.84(b)  
One (1) full-tone set is required. Fig(s) \_\_\_\_\_  
Photographs may not be mounted. 37 CFR 1.84(e)  
Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) \_\_\_\_\_  
Poor quality (half-tone). Fig(s) \_\_\_\_\_

3. TYPE OF PAPER. 37 CFR 1.84(e)  
Paper not flexible, strong, white, and durable. Fig(s) \_\_\_\_\_  
Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) \_\_\_\_\_

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or  
21.6 cm by 27.9 cm (8 1/2 x 11 inches)  
All drawing sheets not the same size. Sheet(s) \_\_\_\_\_

Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:  
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
Margins not acceptable. Fig(s) \_\_\_\_\_

Top (T) \_\_\_\_\_ Left (L) \_\_\_\_\_  
Right (R) \_\_\_\_\_ Bottom (B) \_\_\_\_\_

6. VIEWS. 37 CFR 1.84(h)  
REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

Views not labeled separately or properly. Fig(s) \_\_\_\_\_

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

Sectional designation should be noted with Arabic or Roman numbers. Fig(s) \_\_\_\_\_

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)  
Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

9. SCALE. 37 CFR 1.84(k)  
Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) \_\_\_\_\_

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)  
☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-6

11. SHADING. 37 CFR 1.84(m)  
Solid black areas pale. Fig(s) \_\_\_\_\_  
Solid black shading not permitted. Fig(s) \_\_\_\_\_

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)  
☒ Numbers and reference characters not plain and legible. Fig(s) 1-6  
Figure legends are poor. Fig(s) \_\_\_\_\_  
Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) \_\_\_\_\_

English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) \_\_\_\_\_

☒ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) 1-6

13. LEAD LINES. 37 CFR 1.84(q)  
Lead lines missing. Fig(s) \_\_\_\_\_

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) \_\_\_\_\_

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)  
Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

16. DESIGN DRAWINGS. 37 CFR 1.152  
Surface shading shown not appropriate. Fig(s) \_\_\_\_\_  
Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) \_\_\_\_\_

COMMENTS:

Reviewer Tang

If you have questions, call (703) 305-4000 1038  
305 0333 X132

Date 07/07/05

Attachment to Paper No. \_\_\_\_\_